

IT IS HEREBY ADJUDGED
and DECREED this is SO
ORDERED.



Dated: December 29, 2010

Sarah S. Curley

SARAH S. CURLEY
U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

ERIC WEISS,

Chapter 13

Case No. 10-bk-27248-SSC

Debtor.

ORDER FOR RELIEF FROM
AUTOMATIC STAY

THE COURT HAVING READ AND CONSIDERED the Amended Motion for Relief from the Automatic Stay as filed by Movant and good cause appearing,

IT IS HEREBY ORDERED the automatic stay of 11 U.S.C. §362(a), be terminated and annulled and Movant may pursue the following matters relating to the Dissolution of Marriage action: dissolution of marriage, spousal maintenance, and such other matters incident to the jurisdiction of the Superior Court, except that property of the bankruptcy estate may not be utilized to pay any support or other obligation created or generated under any State Court Order or Decree, without further order of the Bankruptcy Court;

IT IS FURTHER ORDERED that except as qualified herein, the Maricopa County Superior Court may enter such final orders as are appropriate regarding the termination of the marriage and the award of spousal maintenance.

IT IS FURTHER ORDERED that property which is not property of the estate, such as property which is removed from the estate (either through abandonment or exemption), may be allocated or divided by the Superior Court in accordance with applicable state law. The Bankruptcy Court concludes, however, that the community property of the Debtor and the non-debtor spouse and the separate property of the Debtor are property of this bankruptcy estate

1 pending abandonment or exemption by the Debtor. The separate property of the non-debtor
2 spouse is not property of this bankruptcy estate.

3 IT IS FURTHER ORDERED that property which is and remains property of the
4 bankruptcy estate shall remain property of the estate and shall be subject to distribution and/or
5 liquidation in accordance with the Bankruptcy Code and Rules and applicable case law.

6 Notwithstanding the above, the Superior Court may enter such advisory rulings as are necessary
7 in order for the Superior Court to enter a final, appealable ruling in the pending Dissolution
8 action, regarding possible distribution of estate property as between the spouses (but not as to
9 estate or as to creditors of the estate). Any such advisory distribution shall be subject to
10 Bankruptcy Court review and approval and shall be subject to notice and hearing.

11 IT IS FURTHER ORDERED that nothing contained herein shall limit the rights
12 of any creditor or Trustee to pursue any remedies available to them under applicable law.